INDIAN JOURNAL OF LEGAL REVIEW [IJLR – IF SCORE – 7.58]

VOLUME 6 AND ISSUE 1 OF 2026

APIS – 3920 - 0001 *(and)* ISSN - 2583-2344

Published by

Institute of Legal Education

https://iledu.in

THE EVOLUTION OF CHINA'S COURT SYSTEM: INSTITUTIONAL TRANSFORMATION AND THE RISE OF SMART JUDICIAL GOVERNANCE

AUTHOR - SRINIVAS. M.K.[509]* & AKSHAY. M.S.[510]**

* DEPARTMENT OF STUDIES IN LAW, UNIVERSITY OF MYSORE

** ADVOCATE ,HONOURABLE HIGH COURT OF KARNATAKA

BEST CITATION - SRINIVAS. M.K. & AKSHAY. M.S, THE EVOLUTION OF CHINA'S COURT SYSTEM: INSTITUTIONAL TRANSFORMATION AND THE RISE OF SMART JUDICIAL GOVERNANCE, *INDIAN JOURNAL OF LEGAL REVIEW (IJLR)*, 6 (1) OF 2026, PG. 172-190, APIS – 3920 – 0001 & ISSN - 2583-2344. DOI – https://doi.org/10.65393/NAUB3491

Abstract

The transformation occurred in distinct phases, including the early conventional system (1949–late 1970s), post-reform institutional reconstruction (late 1970s–1990s), performance evaluation and professionalization (2000–2013), judicial accountability reforms and digital foundations (2014–2016), and the integration of smart court technologies (2016–present). Each phase reflects a state-led model of judicial modernization, emphasizing efficiency, centralized supervision, and gradual professionalization. Smart courts, incorporating artificial intelligence, big data, cloud computing, blockchain, and Internet Courts, represent not merely technological upgrades but a systemic reconfiguration of judicial governance. While these developments have improved access to justice, transparency, and consistency, they also present challenges, including algorithmic bias, cybersecurity risks, digital exclusion, and tensions between efficiency and judicial autonomy. This paper traces the evolution of the Chinese court system from conventional, administration-oriented institutions to technologically advanced smart courts. The paper also highlights the long-term implications of China's smart court model for judicial independence, the rule of law, and comparative legal studies.

Keywords: *Smart courts, judicial modernization, China, digital adjudication, judicial accountability*

[509] Ph.D. Scholar (Law), Department of Studies in Law, University of Mysore, Gold Medallist in B.Sc. and M.Sc.; recipient of five Gold Medals and three Cash Prizes in LL.M. (Constitutional Law) with Distinction from the University of Mysore. He holds an Associateship and Diploma in Insurance from the Insurance Institute of India, Mumbai, is UGC-NET qualified, and is a multilingual scholar and practicing advocate.
Orcid: https://orcid.org/0009-0002-0475-9447.

[510] LL.M, B.A.LL.B, Advocate ,Honourable High Court of Karnataka.

INDIAN JOURNAL OF LEGAL REVIEW [IJLR – IF SCORE – 7.58]

VOLUME 6 AND ISSUE 1 OF 2026

APIS – 3920 - 0001 *(and)* ISSN - 2583-2344

Published by

Institute of Legal Education

https://iledu.in

1. Introduction

The Chinese court system has undergone a profound transformation from a predominantly conventional, administration-oriented judicial model to a technologically sophisticated system commonly referred to as the "smart court" (智慧法院).[511] This transformation has not been sudden or linear; rather, it has unfolded through several distinct and cumulative phases, each shaped by changing political priorities, economic reforms, institutional experimentation, and rapid advances in information and communication technologies. At every stage, judicial reform has been closely aligned with the Chinese Communist Party's broader governance strategy seeking to enhance judicial efficiency, consistency, and public credibility while maintaining strong centralized oversight and political control.[512]

In its early phase, particularly before the late 1970s, China's court system functioned primarily as an administrative extension of the state rather than as an autonomous adjudicative institution. Courts were embedded within the broader bureaucratic hierarchy and played a limited role in dispute resolution, especially during periods of ideological mobilization such as the Cultural Revolution.[513] Legal professionalism was weak, procedural rules were underdeveloped, and judicial decision-making was heavily influenced by political considerations. The priority of this period was social control and political conformity rather than legal rationality or rights protection.

The reform and opening-up era initiated in the late 1970s marked the second phase, characterized by the reconstruction and normalization of the judiciary. As China transitioned toward a socialist market economy, courts were revitalized to support economic development, contract enforcement, and social stability. New procedural laws were enacted, judicial training was expanded, and the number of courts and judges increased significantly. While courts remained institutionally subordinate to Party leadership, they gradually adopted more standardized procedures and professional norms. This phase laid the institutional and legal groundwork for later technological innovation by re-establishing courts as essential governance institutions.

The third phase, emerging in the late 1990s and early 2000s, focused on judicial professionalism and institutional reform.[514] The Supreme People's Court (SPC) promoted reforms aimed at improving judicial quality, reducing local protectionism, and enhancing transparency. Case management systems, judicial responsibility mechanisms, and internal supervision structures were strengthened. Information technology began to enter court operations, initially in the form of digitized case filing, basic databases, and internal networks. Technology at this stage was supportive rather than transformative, serving mainly to improve administrative efficiency and record-keeping.[515]

The fourth phase, beginning in the mid-2010s, represents the decisive shift toward "smart courts." Driven by advances in big data, artificial intelligence, cloud computing, and mobile internet, Chinese courts embraced digitalization as a core component of judicial modernization. Online litigation platforms, electronic filing, remote hearings, and AI-assisted decision-making tools became widespread. Specialized institutions such as internet courts were established to handle online-related disputes,

[511] Changqing Shi, Tania Sourdin & Bin Li, *The Smart Court – A New Pathway to Justice in China?*, 12 International Journal for Court Administration (2021), https://iacajournal.org/articles/10.36745/ijca.367.

[512] Changqing Shi, Tania Sourdin & Bin Li, The Smart Court - A New Pathway to Justice in China? (Feb. 2, 2021), https://papers.ssrn.com/abstract=3778345.

[513] George G. Zheng, *China's Grand Design of People's Smart Courts*, 7 Asian Journal of Law and Society 561 (2020), https://www.cambridge.org/core/journals/asian-journal-of-law-and-society/article/chinas-grand-design-of-peoples-smart-courts/4768795221618B47A5BE10DBC4BDE8215.

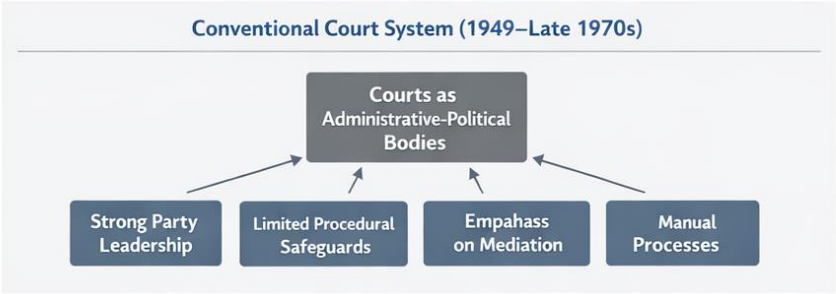
[514] *China | AI Deeply Embedded in Criminal Justice System*, https://www.techandjustice.bsg.ox.ac.uk/research/china (last visited Jan. 11, 2026).

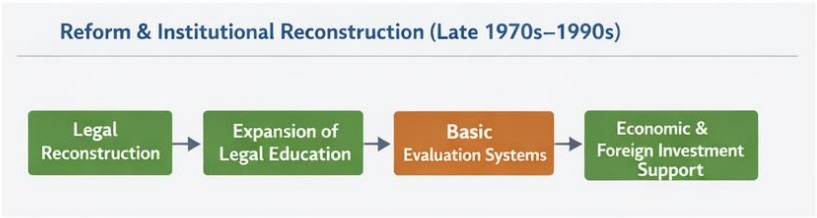
[515] Hitesh Bhatt et al., *Integrating Industry 4.0 Technologies for the Administration of Courts and Justice Dispensation—a Systematic Review*, 11 Humanit Soc Sci Commun 1076 (2024), https://www.nature.com/articles/s41599-024-03587-0.

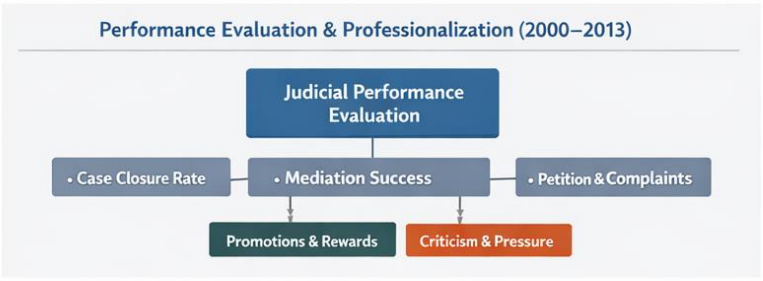
INDIAN JOURNAL OF LEGAL REVIEW [IJLR – IF SCORE – 7.58]
VOLUME 6 AND ISSUE 1 OF 2026
APIS – 3920 - 0001 *(and)* ISSN - 2583-2344
Published by
Institute of Legal Education
https://iledu.in

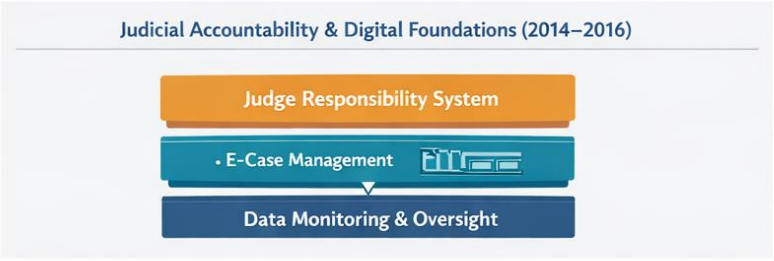
and nationwide platforms enabled the integration and analysis of judicial data across regions. Importantly, smart court development was promoted as a means of enhancing uniformity in adjudication, reducing judicial discretion, and strengthening centralized supervision by higher-level courts.

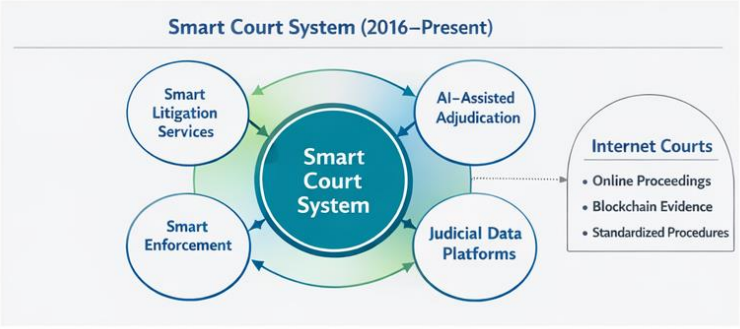
judicial modernization. Rather than emphasizing judicial independence in the liberal constitutional sense, China has pursued a form of technology-enabled governance that prioritizes efficiency, predictability, and hierarchical control. Smart courts are not merely technological upgrades; they represent











Across these phases, the evolution of China's court system reflects a distinctive model of

a reconfiguration of judicial power through digital tools that simultaneously improve access to justice and reinforce institutional

discipline.[516] Understanding these phased transformations is therefore essential for assessing how China has redefined the meaning and practice of judicial modernization within its unique political and legal framework.

2. Conventional Court System (1949–Late 1970s)

2.1 Institutional Foundations

In the early years of the People's Republic of China, the court system was established primarily as an instrument of socialist governance rather than as an autonomous legal institution. Courts were designed to serve the political objectives of the new state, functioning as tools for implementing Party policies, consolidating socialist ideology, and maintaining social order. As a result, the judiciary was closely integrated with political and administrative organs, and judicial decision-making was often subordinated to political directives and mass-line principles rather than grounded in stable legal rules.[517]

Legal formalism during this period was limited, reflecting both ideological skepticism toward law and the legacy of revolutionary governance. Law was viewed largely as a means of class struggle and social transformation, not as a neutral or independent system of norms. Procedural safeguards, consistency in adjudication, and the protection of individual rights were secondary to political considerations. Court proceedings frequently emphasized substantive outcomes aligned with socialist values over adherence to formal legal procedures.[518]

Judicial professionalism was correspondingly weak. Many judges were appointed based on political reliability, revolutionary experience, or administrative background rather than legal expertise. Formal legal education and systematic judicial training were underdeveloped, and the legal profession as a whole lacked institutional maturity. Judges often relied on policy documents, political campaigns, and local administrative guidance instead of codified law. This situation was further exacerbated during periods of intense political mobilization, when courts were marginalized or temporarily dismantled, and adjudication was replaced by ad hoc political mechanisms.

2.2 Characteristics

During this phase, the Chinese court system was characterized by a strong political orientation and comprehensive Party leadership over judicial institutions. Courts operated under close supervision of Party committees, and judicial authority was exercised primarily as an extension of political governance rather than as an independent adjudicative function. Decision-making was guided by policy priorities and ideological considerations, leaving limited space for legal reasoning grounded in stable and predictable rules.[519]

Procedural safeguards were weak, and the production of detailed, reasoned written judgments was not a central feature of judicial practice. Court proceedings often lacked standardized procedures, and transparency in adjudication was minimal. The focus was placed on achieving politically and socially acceptable outcomes rather than ensuring procedural fairness or consistency across cases.[520]

In line with the mass-line approach to justice, mediation and informal dispute resolution were emphasized over formal adjudication. Courts

[516] *Digitization, Adversarial Legalism, and Access to Justice Reforms*, South Carolina Law Review, https://sclawreview.org/article/digitization-adversarial-legalism-and-access-to-justice-reforms/ (last visited Jan. 11, 2026).
[517] Caixia Zou, *Achievements and Prospects of Artificial Intelligence Judicature in China*, 11 Chinese Studies 197 (2022), https://www.scirp.org/journal/paperinformation?paperid=120103.
[518] Anbarasi G & Sankar D, *Greening the Justice System: Assessing the Legality, Feasibility, and Potential of Artificial Intelligence in Advancing Environmental Sustainability within the Indian Judiciary*, 7 Front. Polit. Sci. (2025), https://www.frontiersin.org/journals/political-science/articles/10.3389/fpos.2025.1553705/full.
[519] Fu Yulin, *Research on Developments in Chinese Civil Procedure Law: Observations from the Perspective of the Mutual Shaping of Research Objects and Research Methods*, *in* Handbook of Contemporary Chinese Social Sciences 595 (2025), https://link.springer.com/rwe/10.1007/978-981-97-4026-0_17.
[520] Adil S. Al-Busaidi et al., *Redefining Boundaries in Innovation and Knowledge Domains: Investigating the Impact of Generative Artificial Intelligence on Copyright and Intellectual Property Rights*, 9 Journal of Innovation & Knowledge 100630 (2024), https://www.sciencedirect.com/science/article/pii/S2444569X24001690.

frequently sought to resolve disputes through persuasion, compromise, and community-based solutions, reflecting the belief that social harmony and collective interests should prevail over strict legal determination of rights and obligations. Adjudication, where it occurred, was often secondary to these conciliatory mechanisms.[521]

Moreover, there was minimal use of systematic evaluation or standardized performance metrics for judges and courts. Judicial work was not assessed through quantitative indicators, data-driven analysis, or uniform standards of performance. Instead, evaluations were largely political or administrative in nature, focusing on loyalty and compliance with policy objectives.

3. Reform and Institutionalization (Late 1970s–1990s)

3.1 Legal Reconstruction After Reform and Opening-Up

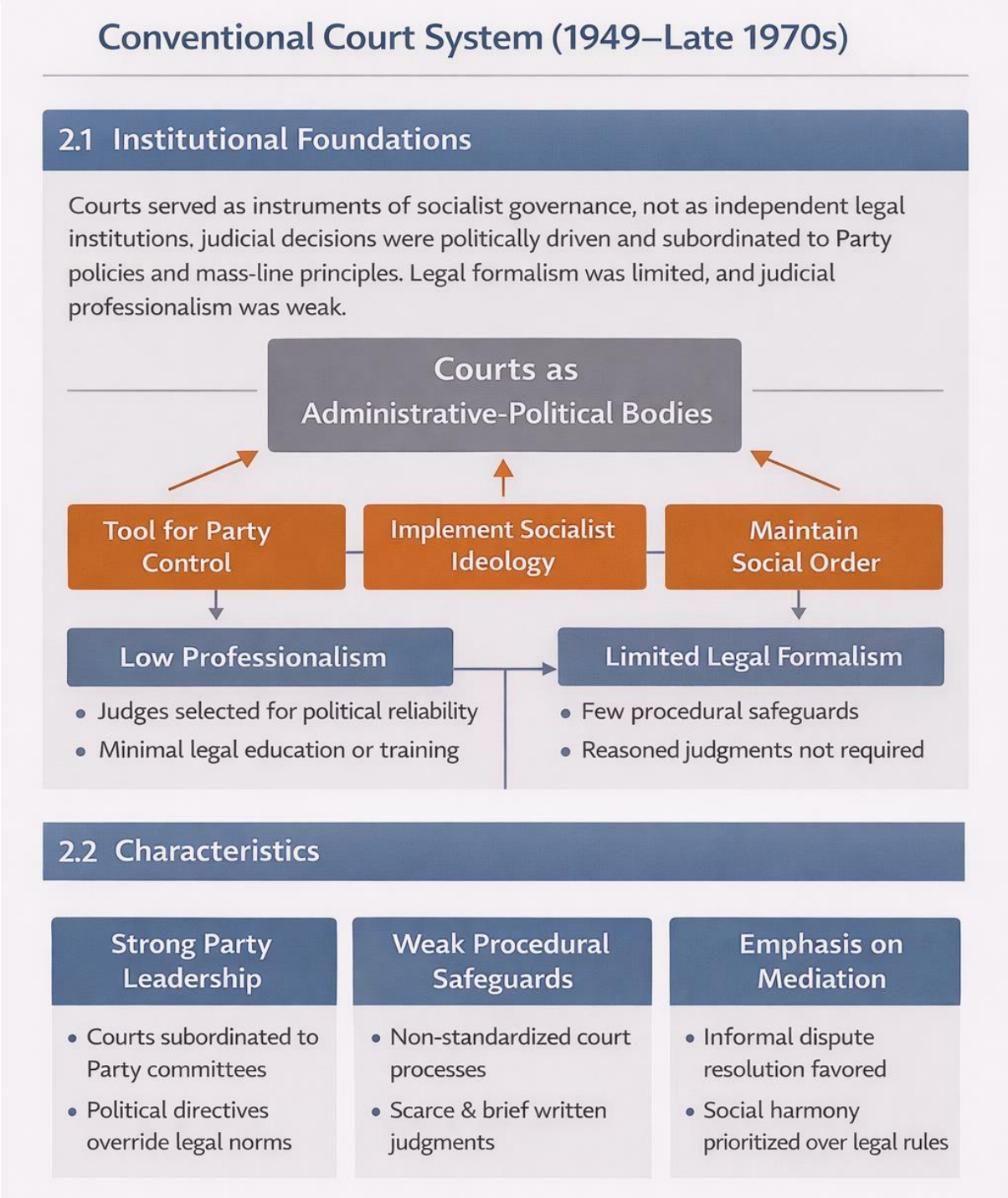
Following the introduction of the Reform and Opening-Up policy in 1978, China embarked on a comprehensive process of legal reconstruction aimed at supporting economic modernization, market-oriented reforms, and the attraction of foreign investment. The leadership recognized that sustained economic development required a more predictable and institutionalized legal framework, particularly in areas such as contract enforcement, property rights, and commercial dispute resolution. As a result, the judiciary was gradually re-established as a formal adjudicatory institution with clearer legal functions and greater practical relevance to economic governance.[522]

During this period, courts were restored and expanded at all administrative levels, and their role in resolving civil, commercial, and economic disputes increased significantly. A series of foundational laws were enacted or reinstated, including civil, criminal, and procedural legislation, which provided courts with a more systematic legal basis for adjudication. Although Party leadership over the judiciary remained intact, judicial activity became increasingly routinized and rule-based, especially in cases involving economic transactions and foreign-related disputes.[523]

Legal education and professional training expanded rapidly to meet the growing demand for qualified legal personnel.[524] Law schools were reopened or newly established, judicial examinations and training programs were introduced, and the number of legally trained judges increased substantially. This marked a shift away from politically appointed adjudicators toward a more professionalized judiciary, even if full judicial independence was not the objective. Legal reasoning, statutory interpretation, and written judgments began to play a more prominent role in court practice.[525]

[521] Claudia Annacker, *Protection and Admission of Sovereign Investment under Investment Treaties*, 10 Chinese Journal of International Law 531 (2011), https://doi.org/10.1093/chinesejil/jmr018.
[522] Jane C. Ginsburg, *People Not Machines: Authorship and What It Means in the Berne Convention*, 49 IIC 131 (2018), https://doi.org/10.1007/s40319-018-0670-x.
[523] *Id.*
[524] Davide Giacomo Zoppolato & Paolo Davide Farah, *China's Path to Modernization and Legal Pluralism: Transplants and the Belt and Road Initiative*, 12 Asian Journal of Law and Society 109 (2025), https://www.cambridge.org/core/journals/asian-journal-of-law-and-society/article/chinas-path-to-modernization-and-legal-pluralism-transplants-and-the-belt-and-road-initiative/B73A534E77C208709348579C20A2789E.
[525] Gordon V. Smith, Trademark Valuation: A Tool for Brand Management (Second edition ed. 2013), https://tind.wipo.int/record/27907.

INDIAN JOURNAL OF LEGAL REVIEW [IJLR – IF SCORE – 7.58]
VOLUME 6 AND ISSUE 1 OF 2026
APIS – 3920 - 0001 *(and)* ISSN - 2583-2344
Published by
Institute of Legal Education
https://iledu.in



At the same time, courts were tasked with facilitating foreign trade and investment by providing a degree of legal certainty to domestic and international economic actors. Specialized tribunals and procedures for foreign-related cases were developed, and courts increasingly engaged with international legal norms in areas such as contracts, arbitration, and intellectual property.[526] In this sense, legal reconstruction after Reform and Opening-Up was closely tied to China's integration into the global economy.[527]

[526] Mark McLaughlin, *State-Owned Enterprises and Threats to National Security Under Investment Treaties*, 19 CHINESE JOURNAL OF INTERNATIONAL LAW 283 (2020), https://doi.org/10.1093/chinesejil/jmaa014.
[527] Kient, *Foreign-Related Arbitration under China's New Arbitration Law*, LAW.ASIA (Nov. 24, 2025), https://law.asia/china-new-arbitration-law-foreign-related-arbitration/.

INDIAN JOURNAL OF LEGAL REVIEW [IJLR – IF SCORE – 7.58]

VOLUME 6 AND ISSUE 1 OF 2026

APIS – 3920 - 0001 *(and)* ISSN - 2583-2344

Published by

Institute of Legal Education

https://iledu.in

3.2 Introduction of Basic Evaluation Mechanisms

This period witnessed the initial emergence of rudimentary judicial evaluation systems designed to enhance basic consistency, discipline, and efficiency in court operations. Evaluation efforts focused primarily on easily observable and quantifiable indicators, such as case completion rates, which measured whether courts and judges were resolving cases within prescribed time frames. Timeliness became an important administrative benchmark, reflecting the broader governance concern with reducing backlog and maintaining social stability.[528]

In addition, compliance with procedural timelines was emphasized as a key performance criterion. Courts were expected to adhere to statutory or internally mandated deadlines for filing, hearings, and judgments, and deviations were often treated as indicators of poor administrative performance rather than as matters of substantive justice. These procedural metrics encouraged courts to standardize workflows and manage caseloads more systematically, even if they did not directly assess the quality of legal reasoning or fairness of outcomes.[529]

Error correction through appeal and retrial mechanisms also formed part of the evaluation framework. Higher-level courts reviewed lower-court decisions to identify mistakes in fact-finding, application of law, or procedure, and reversal rates were sometimes used as indirect indicators of judicial competence. This hierarchical review process reinforced vertical supervision within the court system and underscored the role of appellate courts in ensuring uniform application of law.[530]

Despite these developments, evaluation mechanisms during this stage remained largely manual and administrative in nature. Data collection and reporting relied heavily on paper-based files, handwritten statistics, and internal reports submitted through bureaucratic channels. Oversight was exercised primarily through hierarchical supervision rather than through automated systems or real-time data analysis. As a result, while these early evaluation practices contributed to improved efficiency and basic standardization, they were limited in scope and accuracy, foreshadowing the later turn toward digitalized and data-driven judicial governance.[531]

[528] Xinwei Shi et al., *Patent- and Trademark-Seeking Outward Foreign Direct Investment by Chinese Firms: The Role of Business Group Affiliation*, 31 INDUSTRIAL AND CORPORATE CHANGE 838 (2022), https://doi.org/10.1093/icc/dtab073.

[529] Yulin, *supra* note 9.

[530] *Office of Public Affairs | Chinese Company Sinovel Wind Group Convicted of Theft of Trade Secrets | United States Department of Justice*, (Jan. 24, 2018), https://www.justice.gov/archives/opa/pr/chinese-company-sinovel-wind-group-convicted-theft-trade-secrets.

[531] Siyi Lin, *Legal Harmonization in the Greater Bay Area: A Case Study of Macau Trust Law*, 0 ASIA PACIFIC LAW REVIEW 1 (2025), https://doi.org/10.1080/10192557.2025.2581769.

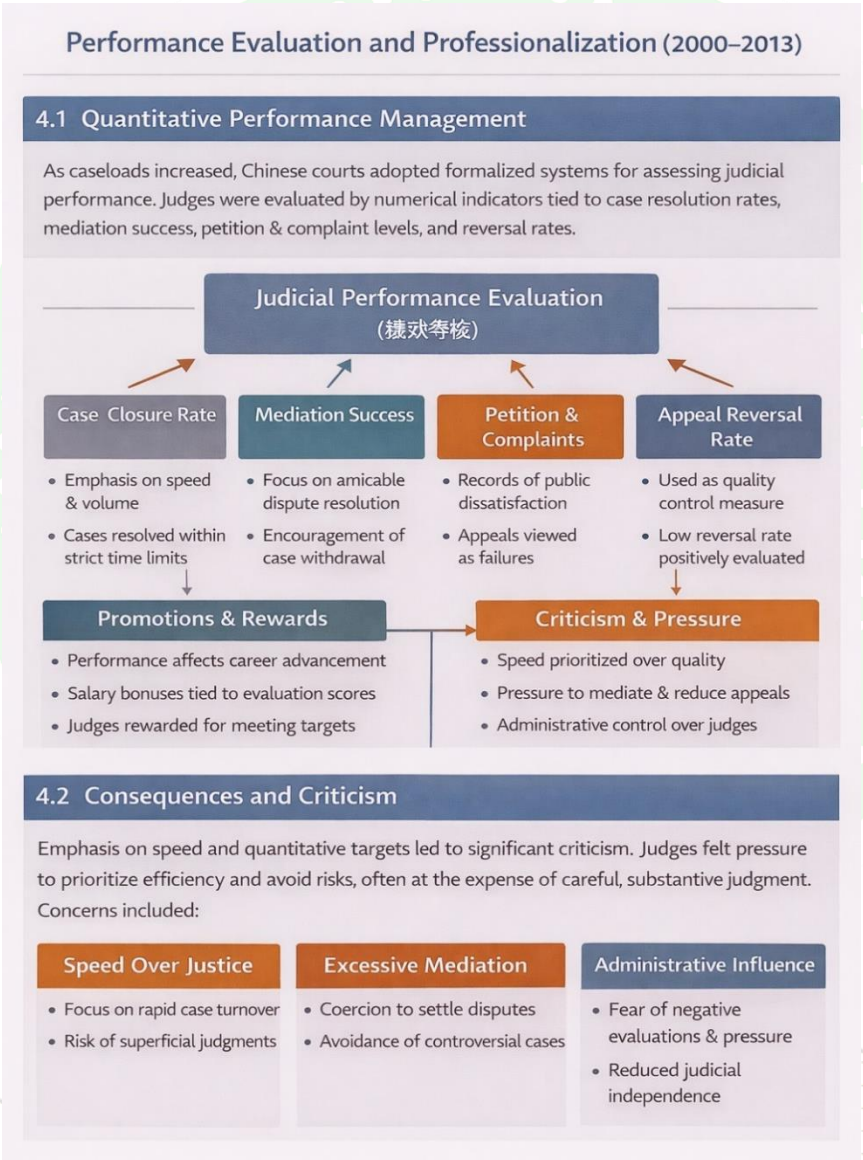
INDIAN JOURNAL OF LEGAL REVIEW [IJLR – IF SCORE – 7.58]
VOLUME 6 AND ISSUE 1 OF 2026
APIS – 3920 - 0001 *(and)* ISSN - 2583-2344
Published by
Institute of Legal Education
https://iledu.in

4. Performance Evaluation and Professionalization (2000–2013)

4.1 Quantitative Performance Management

As caseloads increased dramatically alongside rapid economic growth, urbanization, and the proliferation of social and commercial disputes, Chinese courts began to adopt more sophisticated and formalized performance evaluation systems (绩效考核). The expanding volume and complexity of cases placed significant pressure on judicial institutions to manage workloads efficiently, maintain social stability, and demonstrate administrative accountability. In response, performance assessment became an increasingly important governance tool for supervising judges and courts.[532]

Under these systems, judges were evaluated through a set of numerical and outcome-oriented indicators that translated judicial activity into measurable data. One key indicator was the number of cases concluded, which emphasized productivity and throughput. Judges were expected to resolve a high volume of cases within prescribed time limits, reinforcing efficiency as a central institutional priority. In parallel, mediation success rates were used to assess a judge's ability to resolve



[532] Ignacio de la Rasilla & Yayezi Hao, *China and International Dispute Settlement by Adjudicative and Other Means*, *in* THE CAMBRIDGE HANDBOOK OF CHINA AND INTERNATIONAL LAW 497 (Congyan Cai & Ignacio de la Rasilla eds., 2024), https://www.cambridge.org/core/books/cambridge-handbook-of-china-and-international-law/china-and-international-dispute-settlement-by-adjudicative-and-other-means/BE7ECF6F36D215E172935948A80EC9E9.

disputes amicably and prevent escalation, reflecting the continued policy preference for social harmony and conflict containment.

Petition and complaint records also became an important evaluative criterion. Judges whose decisions generated frequent petitions (信访) or public complaints were often viewed as contributing to social instability, regardless of the legal soundness of their rulings. This indicator linked judicial performance directly to broader political objectives, particularly the maintenance of order and public satisfaction. In addition, reversal rates on appeal were employed as a proxy for adjudicative quality, with higher reversal rates signaling potential errors in fact-finding or application of law.

Crucially, these performance indicators were not merely symbolic. Evaluation results had tangible consequences for judges' career trajectories, directly affecting promotion prospects, remuneration, bonuses, and even disciplinary sanctions. Therefore, 绩效考核 systems significantly shaped judicial behavior, encouraging judges to prioritize efficiency, mediation, and risk avoidance. While these systems contributed to greater managerial control and consistency within the judiciary, they also generated concerns about excessive quantification of judicial work and the potential distortion of adjudicative priorities issues that would later influence the turn toward more technologically mediated and data-driven forms of judicial governance.

4.2 Consequences and Criticism

While performance evaluation systems contributed to noticeable improvements in efficiency and case management, they also generated substantial criticism from within the judiciary and among legal scholars. One major concern was the overemphasis on speed and numerical output at the expense of substantive justice. Judges were often incentivized to conclude cases quickly to meet performance targets, sometimes at the cost of thorough fact-finding, careful legal reasoning, or well-reasoned written judgments. As a result, efficiency metrics risked becoming ends in themselves rather than means to enhance the quality of adjudication.

A second criticism related to the incentives created for excessive mediation or the strategic withdrawal of cases. Because mediation success rates were positively evaluated, judges were encouraged to push parties toward settlement even in situations where adjudication might have been more appropriate to clarify legal rights or establish precedent. In some cases, litigants felt pressured to accept mediated outcomes to help judges meet performance indicators, raising concerns about voluntariness and fairness. Similarly, encouraging case withdrawal or informal resolution could artificially improve completion statistics while leaving underlying disputes insufficiently addressed.

Finally, the strong administrative nature of performance evaluation exerted significant pressure on judicial discretion. Judges operated under close managerial supervision, and fear of negative evaluations, appeals, or petitions often led to risk-averse decision-making. This environment constrained judges' willingness to make legally sound but potentially controversial rulings, particularly in sensitive or complex cases. Judicial reasoning was thus shaped not only by law but also by administrative expectations and political risk considerations.

Taken together, this phase exposed the structural limits of conventional, indicator-driven evaluation methods. While such systems enhanced managerial efficiency and control, they lacked transparency, failed to capture qualitative aspects of adjudication, and risked distorting judicial behavior. These shortcomings generated growing demand for more standardized, data-integrated, and transparent evaluation tools demand that would later be met through digitalization, big data analytics, and the development of smart court technologies.

INDIAN JOURNAL OF LEGAL REVIEW [IJLR – IF SCORE – 7.58]
VOLUME 6 AND ISSUE 1 OF 2026
APIS – 3920 - 0001 *(and)* ISSN - 2583-2344
Published by
Institute of Legal Education
https://iledu.in

5. Judicial Accountability and Digital Foundations (2014–2016)

5.1 Judge Responsibility System

The 2014 Fourth Plenum of the Communist Party of China marked a decisive turning point in China's judicial reform agenda by placing the rule of law (依法治国) at the center of governance. One of the most significant outcomes of this reform wave was the introduction and nationwide promotion of the judge responsibility system (司法责任制). This system fundamentally reshaped internal judicial accountability by making individual judges directly responsible for the cases they adjudicate, thereby reducing the prevalence of collective decision-making in ordinary cases.

Under the judge responsibility system, the authority to hear and decide cases was formally vested in the judge or judicial panel handling the case, rather than being diffused through administrative leaders or adjudication committees in routine matters. Judges were required to sign their judgments and bear lifelong responsibility for errors arising from intentional misconduct or gross negligence. This reform aimed to clarify judicial authority, align decision-making power with responsibility, and curb excessive administrative interference in individual cases.

At the same time, the reform sought to rationalize the use of collective adjudication mechanisms. While adjudication committees retained an important role in major, difficult, or sensitive cases, their involvement in ordinary cases was reduced. This shift was intended to promote professionalism, encourage independent legal reasoning, and enhance the credibility of judicial decisions by ensuring that those who decide cases are the same individuals who conduct hearings and evaluate evidence.

However, the judge responsibility system also introduced new pressures. Increased individual accountability, combined with existing performance evaluation mechanisms and appeal-based oversight, heightened judges' risk awareness and caution. In this context, the reform underscored the need for more precise, objective, and transparent tools to support judicial decision-making and evaluation conditions that would later accelerate the integration of digital technologies and data-driven governance into China's court system.

5.2 Early Digitalization

During this period, Chinese courts began constructing foundational information platforms to support judicial administration, enhance transparency, and strengthen accountability. Key initiatives included the development of electronic case management systems, which allowed courts to digitize case files, track proceedings, and monitor workload distribution more systematically. These systems facilitated the collection of standardized data on case timelines, outcomes, and judicial performance, improving administrative efficiency and enabling more precise oversight of judges' work.

Simultaneously, courts launched the online publication of judgments through platforms such as China Judgments Online (中国裁判文书网). This initiative significantly increased public access to court decisions, promoting transparency and consistency in adjudication. By making rulings widely available, the system not only helped guide legal interpretation but also created a form of digital accountability, as judicial conduct and reasoning could now be scrutinized by peers, scholars, and the public.

In addition, courts began compiling initial databases for similar-case reference, providing a basic mechanism for comparative analysis and quasi-precedent guidance. These databases enabled judges to consult prior decisions when faced with analogous disputes, contributing to more consistent and predictable adjudication.

Collectively, these technological advancements laid the institutional and technical groundwork for the later development of smart courts (智慧

INDIAN JOURNAL OF LEGAL REVIEW [IJLR – IF SCORE – 7.58]
VOLUME 6 AND ISSUE 1 OF 2026
APIS – 3920 - 0001 *(and)* ISSN - 2583-2344
Published by
Institute of Legal Education
https://iledu.in

法院). By linking judicial accountability with digital oversight, these early platforms set the stage for the integration of more sophisticated tools such as AI-assisted case analysis, online litigation procedures, and real-time performance monitoring transforming China's judiciary into a more professionalized, data-driven system.

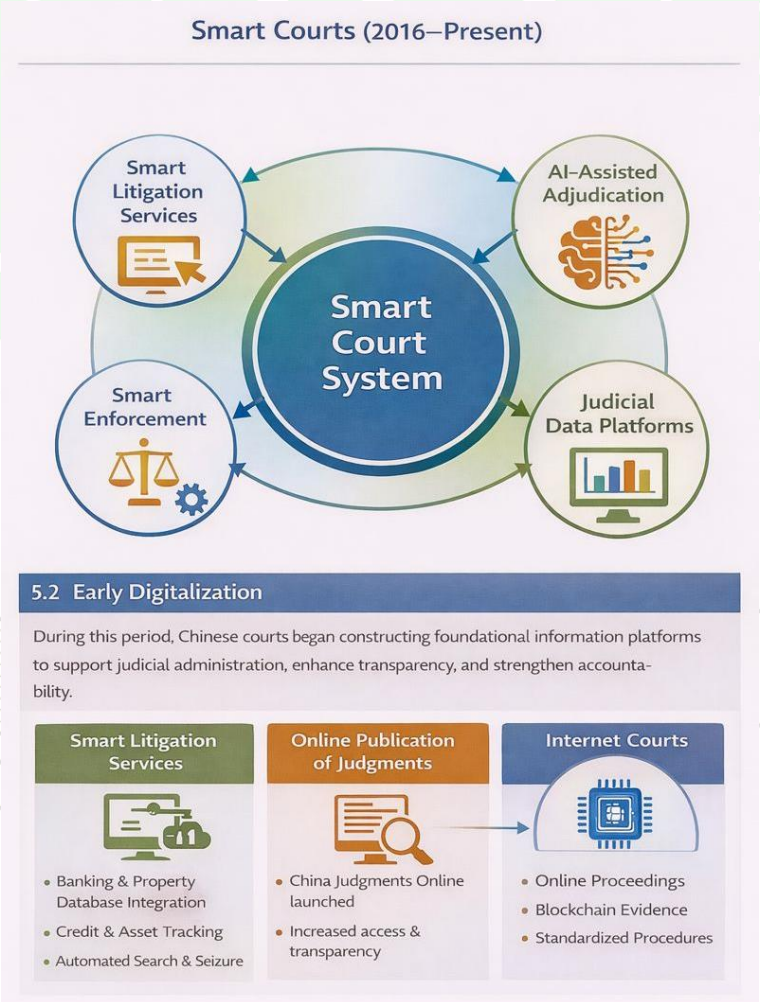
6. Smart Court Construction and Integration (2016–Present)

6.1 Concept and Policy Framework

In 2016, the Supreme People's Court (SPC) formally elevated the smart court strategy (智慧法院建设) to the status of a national judicial reform priority, signaling a decisive shift toward technology-driven judicial modernization. This initiative aimed to transform courts from primarily manual, paper-based institutions into digitally empowered adjudicatory bodies capable of handling increasingly complex caseloads with greater efficiency, transparency, and consistency.

Smart courts are designed to integrate a range of advanced technologies artificial intelligence (AI), big data analytics, cloud computing, and blockchain into virtually every stage of the litigation process. AI tools are employed for tasks such as automated document review, case categorization, evidence analysis, and even preliminary drafting of judgments, helping judges manage large volumes of information and make more informed decisions. Big data platforms enable the aggregation and analysis of nationwide case data, allowing courts to identify patterns, track similar cases, and improve the consistency of adjudication.

Cloud computing facilitates the centralization and secure storage of case files, supporting online filing, remote hearings, and real-time access to judicial records across multiple jurisdictions. Blockchain technology is leveraged



INDIAN JOURNAL OF LEGAL REVIEW [IJLR – IF SCORE – 7.58]
VOLUME 6 AND ISSUE 1 OF 2026
APIS – 3920 - 0001 *(and)* ISSN - 2583-2344
Published by
Institute of Legal Education
https://iledu.in

to ensure the integrity, traceability, and tamper-proof nature of digital evidence and electronic judgments, enhancing trust in online judicial processes. By embedding these technologies throughout the litigation workflow from case filing and trial management to mediation, judgment publication, and enforcement smart courts aim not only to improve efficiency but also to strengthen accountability, reduce human error, and enhance public confidence in the judiciary. This strategic embrace of digitalization marks a fundamental evolution in China's approach to judicial governance, blending legal administration with cutting-edge technological infrastructure.

6.2 Core Components

The smart court system encompasses a suite of technologically enabled functions that span the entire judicial process, transforming both how cases are handled and how judicial performance is monitored. Smart litigation services form the foundation of this system, allowing parties to file cases electronically, participate in online hearings, and receive or submit documents through secure electronic service platforms. These innovations significantly reduce the need for physical presence, streamline procedural workflows, and improve access to justice for parties in different regions.

AI-assisted adjudication enhances judicial decision-making by automating routine tasks and providing analytical support. Tools can classify cases automatically, recommend similar cases for reference, and even offer sentencing guidance, helping judges maintain consistency and efficiency while handling complex or high-volume caseloads.

Smart enforcement leverages real-time access to banking, property, and credit databases, enabling courts to track and execute judgments more effectively. This integration allows immediate identification of enforceable assets and streamlines post-judgment enforcement, reducing delays and enhancing compliance.

Finally, comprehensive judicial data platforms continuously monitor performance metrics across courts and judges, evaluating factors such as case resolution rates, procedural compliance, and adjudicative consistency. These platforms provide decision-makers with data-driven insights to improve governance, detect irregularities, and ensure uniform application of law nationwide.

Together, these components create a fully interconnected, data-driven judicial ecosystem, where litigation, adjudication, enforcement, and supervision are integrated through technology, representing a major evolution from traditional, paper-based court systems toward a modern, "smart" judiciary.

7. Internet Courts and Specialized Smart Adjudication

China established Internet Courts in Hangzhou, Beijing, and Guangzhou as pilot institutions to address the growing number and complexity of disputes arising from the digital economy, including e-commerce transactions, digital copyright infringement, and platform liability cases.[533] These courts are designed to handle cases that are primarily conducted online, reflecting the judiciary's adaptation to technological and commercial transformations in society. By focusing on internet-related disputes, they provide a specialized forum capable of efficiently resolving issues that traditional courts were often ill-equipped to manage.[534]

A defining feature of these courts is their fully online proceedings, which allow parties to file cases, submit evidence, participate in hearings, and receive judgments entirely through digital platforms. This eliminates the need for physical presence, streamlines workflows, and improves access to justice for litigants across regions. To ensure the integrity of evidence in digital disputes, Internet Courts employ blockchain-

[533] Zoppolato and Farah, *supra* note 14.
[534] E. P. Ermakova, *Features of Online Settlement of Consumer Disputes by e-commerce Platforms in the People's Republic of China*, 1 Journal of Digital Technologies and Law 691 (2023), https://www.lawjournal.digital/jour/article/view/242.

based evidence preservation, creating tamper-proof, verifiable, and traceable records that enhance trust in the adjudication process.[535]

In addition, AI-supported fact-finding and reasoning tools assist judges by organizing evidence, analyzing patterns, and generating preliminary assessments, which promotes more consistent and data-informed decision-making.[536] The courts also implement high levels of procedural standardization, including automated notifications, uniform case management workflows, and systematic checks, reducing administrative errors and ensuring fairness across cases.

Collectively, these features make Internet Courts the most advanced embodiment of China's smart adjudication efforts. Beyond resolving individual disputes, they serve as experimental models for nationwide judicial reform, demonstrating how technology can enhance efficiency, transparency, and consistency throughout the broader court system. By integrating online operations, AI assistance, and secure digital evidence management, these courts provide a blueprint for expanding smart court capabilities across China.

8. Transformation of Evaluation in the Smart Court Era

Evaluation mechanisms in China's courts have undergone a profound transformation, moving from traditional, periodic administrative assessments toward continuous, data-driven monitoring enabled by digital technologies.[537] Unlike earlier evaluation systems that relied on manual reporting, paper-based statistics, and hierarchical supervision, modern mechanisms leverage real-time data collection and algorithmic analysis to track judicial performance across multiple dimensions.[538]

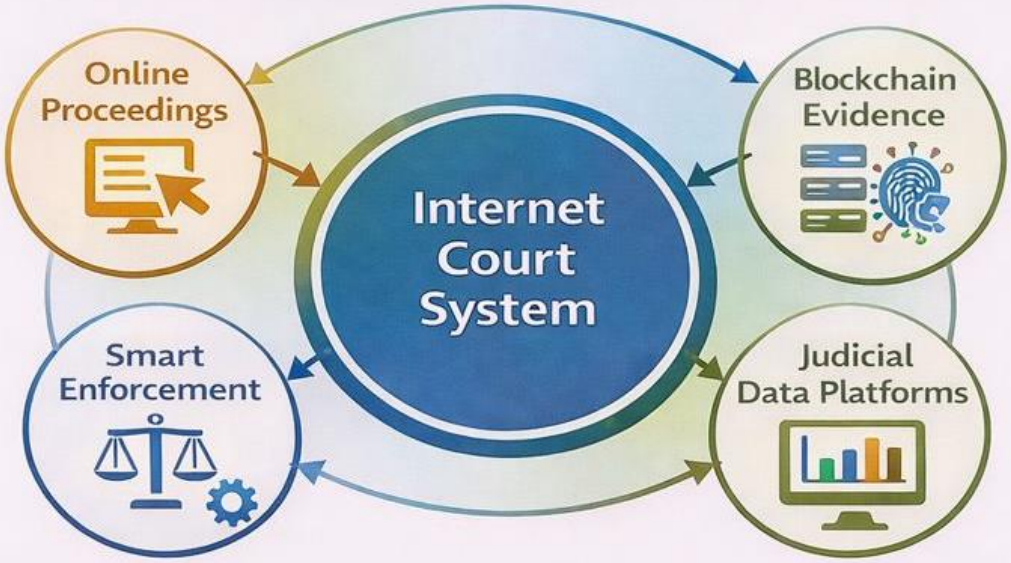
Algorithms now monitor a range of indicators, including judges' workload and behavior patterns, enabling administrators to identify bottlenecks, ensure equitable case distribution, and detect deviations from expected work practices. The system also assesses the consistency of judgments across regions, comparing rulings on similar cases to promote uniform application of law and reduce regional disparities. Enforcement effectiveness is another key metric, with algorithms analyzing how promptly and successfully judgments are executed, including tracking access to banking, property, and credit information for enforcement purposes.[539] Additionally, procedural compliance is continuously monitored, ensuring that court processes from filing to judgment delivery adhere to standardized workflows and legal requirements.

[535] Huaxing Wang et al., *Does Digital Justice Contribute to Firm Innovation? Evidence from China's Internet Courts*, 15 SAGE OPEN 21582440251340457 (2025), https://doi.org/10.1177/21582440251340457.
[536] *Id.*
[537] Advocatemanisha & Legal Service India, *A Study On Digital Transformation Of Indian's Judiciary: The E-Courts Mission Mode Project And E-Courts Services Mobile Application*, LEGAL SERVICE INDIA - ARTICLES (Oct. 16, 2025), https://www.legalserviceindia.com/Legal-Articles/a-study-on-digital-transformation-of-indias-judiciary-the-e-courts-mission-mode-project-and-e-courts-services-mobile-application/.
[538] Bruno Miguel Vital Bernardo et al., *Data Governance & Quality Management—Innovation and Breakthroughs across Different Fields*, 9 JOURNAL OF INNOVATION & KNOWLEDGE 100598 (2024), https://www.sciencedirect.com/science/article/pii/S2444569X24001379.
[539] AI Now Institute, *A New Era of 'e-Justice': A Look inside the Digital Transformation of China's Court System*, AI NOW INSTITUTE (Jan. 3, 2022), https://ainowinstitute.org/publications/collection/a-new-era-of-e-justice-a-look-inside-the-digital-transformation-of-chinas-court-system.

INDIAN JOURNAL OF LEGAL REVIEW [IJLR – IF SCORE – 7.58]
VOLUME 6 AND ISSUE 1 OF 2026
APIS – 3920 - 0001 *(and)* ISSN - 2583-2344
Published by
Institute of Legal Education
https://iledu.in

Internet Courts and Specialized Smart Adjudication

China established Internet Courts in Hangzhou, Beijing, and Guangzhou as pilot institutions to address the growing number and complexity of disputes arising from the digital economy, including e-commerce transactions, digital copyright infringement, and or platform liability cases. These courts are designed to handle cases that are primarily conducted online, reflecting the judiciary's adaptation to technological and commercial transformations in society. By focusing on internet related disputes, they provide a specialized forum capable of efficiently resolving issues that traditional courts were often ill-equipped.



5.2 Transformation of Evaluation in the Smart Court Era

Judicial evaluations have shifted from simplistic periodic assessments to real-time, data-driven monitoring, tracking judicial performance across multiple dimensions through digital analytics and algorithmic analysis.

Workload & Case Distribution	Consistency of Judgments	Enforcement Effectiveness	Procedural Compliance
• Case Volume & Timeliness Monitored • Remote Evidence Submission	• Analysis of Similar Case Rulings • Uniform Application of Law	• Tracking Asset & Credit Access • Judgment Enforcement Analysis	• Adherence to Standard Workflows • Monitoring Procedural Timeliness

These data-driven evaluation mechanisms significantly enhance transparency, accountability, and judicial uniformity. They allow court administrators and higher-level authorities to identify systemic inefficiencies, correct errors promptly, and maintain more consistent adjudicative standards nationwide. However, this level of surveillance also raises

concerns about its impact on judicial autonomy. Continuous monitoring may incentivize judges to prioritize compliance with algorithmic metrics over independent legal reasoning, potentially discouraging innovative or bold interpretations of the law. Critics worry that the extensive use of data analytics could lead to a culture of risk-averse adjudication, where judges focus on meeting performance indicators rather than exercising discretion based on the merits of each case.

9. Benefits and Structural Challenges

9.1 Benefits

The development of smart courts and digital judicial systems in China has produced a range of significant benefits. One of the most notable advantages is improved access to justice, particularly for individuals and businesses located in remote or rural areas. Through online case filing, virtual hearings, and electronic service of documents, parties can engage in litigation without the need to travel long distances, reducing geographic and logistical barriers.[540]

Smart courts have also reduced litigation costs and delays. Digital workflows streamline case management, automate routine administrative tasks, and facilitate faster communication between parties and the court. This efficiency not only decreases the time required to resolve disputes but also lowers the financial burden on litigants, making judicial processes more affordable and accessible.[541]

Enhanced transparency is another key benefit. The systematic online publication of judgments, case summaries, and procedural updates allows the public, legal professionals, and scholars to monitor court activity, evaluate decision-making, and better understand legal reasoning. This transparency helps build public confidence in the judiciary and promotes accountability among judges.[542]

Finally, the integration of data analytics and AI tools has contributed to greater consistency in adjudication. By providing judges with access to historical case data, similar-case references, and AI-assisted recommendations, courts can reduce disparities in rulings across different regions and levels of the judiciary, ensuring a more uniform application of law nationwide.[543]

9.2 Challenges

Despite these advantages, the shift to smart courts also introduces a set of complex challenges. One major concern is the risk of algorithmic bias and over-reliance on AI. AI-assisted adjudication tools are trained on historical case data, which may reflect existing social or regional biases. Overdependence on these tools could inadvertently reinforce inequities or lead judges to defer excessively to algorithmic recommendations, potentially compromising the fairness of outcomes.

Data protection and cybersecurity issues are another critical challenge. The collection, storage, and transmission of sensitive case information including personal, financial, and business data create vulnerabilities to hacking, unauthorized access, and data leaks. Ensuring robust security measures is essential to maintain trust in the judicial system and protect litigants' rights.

Digital exclusion represents an additional concern. Not all litigants have equal access to digital technology, internet connectivity, or digital literacy. Vulnerable populations, such as the elderly, rural residents, or low-income groups, may face barriers to participating fully in online proceedings, risking unequal access to justice despite technological advancements.

[540] Wei Gao & Lu Xu, *Online Courts in China: A New Hybrid Model for Access to Justice*, 25 China Review 75 (2025), https://muse.jhu.edu/pub/250/article/955347.
[541] *AI in Justice Administration and Access to Justice: Governing with Artificial Intelligence*, OECD (Sept. 18, 2025), https://www.oecd.org/en/publications/governing-with-artificial-intelligence_795de142-en/full-report/ai-in-justice-administration-and-access-to-justice_f0cbe651.html.
[542] *China Launches Artificial Intelligence Platform to Boost Judicial Efficiency*, https://english.court.gov.cn/2024-12/05/c_1053706.htm (last visited Jan. 11, 2026).
[543] Nyu Wang & Michael Yuan Tian, *"Intelligent Justice": Human-Centered Considerations in China's Legal AI Transformation*, 3 AI Ethics 349 (2023), https://pmc.ncbi.nlm.nih.gov/articles/PMC9396564/.

Finally, the growing emphasis on efficiency-driven evaluation and continuous digital monitoring can create tension with judicial independence. Judges may feel pressured to prioritize meeting performance metrics or aligning with algorithmic guidance over exercising independent legal judgment. This tension highlights the challenge of balancing technological innovation and administrative oversight with the need to preserve professional discretion, impartiality, and the integrity of judicial decision-making.

10. Conclusion

The evolution of China's court system demonstrates a carefully phased, state-directed approach to judicial modernization. From the early administration-oriented courts to the post-reform reconstruction and subsequent performance-based evaluation systems, each stage contributed to strengthening institutional capacity, professionalization, and accountability. The introduction of the judge responsibility system and the establishment of digital foundations paved the way for the development of smart courts, which integrate AI, big data, blockchain, and online platforms into nearly every aspect of the litigation process. Internet Courts further exemplify the advanced application of technology in specialized domains.

Smart courts are more than technological enhancements; they represent a reconfiguration of judicial governance that balances efficiency, supervision, and innovation. They improve access to justice, streamline case management, and enhance transparency and consistency, yet they also raise critical questions regarding algorithmic bias, cybersecurity, digital inclusion, and judicial discretion. The Chinese experience illustrates both the potential and the limits of technology-driven judicial reform, offering valuable lessons for comparative legal studies. Ultimately, the trajectory of smart courts will continue to influence debates on the balance between judicial efficiency, accountability, and independence, shaping the future of the rule of law in China and beyond.

References

1. Advocatemanisha & Legal Service India, *A Study On Digital Transformation Of Indian's Judiciary: The E-Courts Mission Mode Project And E-Courts Services Mobile Application*, Legal Service India - Articles (Oct. 16, 2025), https://www.legalserviceindia.com/Legal-Articles/a-study-on-digital-transformation-of-indias-judiciary-the-e-courts-mission-mode-project-and-e-courts-services-mobile-application/.
2. Adil S. Al-Busaidi et al., *Redefining Boundaries in Innovation and Knowledge Domains: Investigating the Impact of Generative Artificial Intelligence on Copyright and Intellectual Property Rights*, 9 Journal of Innovation & Knowledge 100630 (2024), https://www.sciencedirect.com/science/article/pii/S2444569X24001690.
3. Bruno Miguel Vital Bernardo et al., *Data Governance & Quality Management—Innovation and Breakthroughs across Different Fields*, 9 Journal of Innovation & Knowledge 100598 (2024), https://www.sciencedirect.com/science/article/pii/S2444569X24001379.
4. Hitesh Bhatt et al., *Integrating Industry 4.0 Technologies for the Administration of Courts and Justice Dispensation—a Systematic Review*, 11 Humanit Soc Sci Commun 1076 (2024), https://www.nature.com/articles/s41599-024-03587-0.
5. Ignacio de la Rasilla & Yayezi Hao, *China and International Dispute Settlement by Adjudicative and Other Means*, *in* The Cambridge Handbook of China and International Law 497 (Congyan Cai & Ignacio de la Rasilla eds., 2024), https://www.cambridge.org/core/books/cambridge-handbook-of-china-and-

international-law/china-and-international-dispute-settlement-by-adjudicative-and-other-means/BE7ECF6F36D215E172935948A80EC9E9.

6. E. P. Ermakova, *Features of Online Settlement of Consumer Disputes by e-commerce Platforms in the People's Republic of China*, 1 Journal of Digital Technologies and Law 691 (2023), https://www.lawjournal.digital/jour/article/view/242.
7. Anbarasi G & Sankar D, *Greening the Justice System: Assessing the Legality, Feasibility, and Potential of Artificial Intelligence in Advancing Environmental Sustainability within the Indian Judiciary*, 7 Front. Polit. Sci. (2025), https://www.frontiersin.org/journals/political-science/articles/10.3389/fpos.2025.1553705/full.
8. Wei Gao & Lu Xu, *Online Courts in China: A New Hybrid Model for Access to Justice*, 25 China Review 75 (2025), https://muse.jhu.edu/pub/250/article/955347.
9. AI Now Institute, *A New Era of 'e-Justice': A Look inside the Digital Transformation of China's Court System*, AI Now Institute (Jan. 3, 2022), https://ainowinstitute.org/publications/collection/a-new-era-of-e-justice-a-look-inside-the-digital-transformation-of-chinas-court-system.
10. Kient, *Foreign-Related Arbitration under China's New Arbitration Law*, Law.asia (Nov. 24, 2025), https://law.asia/china-new-arbitration-law-foreign-related-arbitration/.
11. Siyi Lin, *Legal Harmonization in the Greater Bay Area: A Case Study of Macau Trust Law*, Asia Pacific Law Review 1 (2025), https://www.tandfonline.com/doi/full/10.1080/10192557.2025.2581769.
12. Siyi Lin, *Legal Harmonization in the Greater Bay Area: A Case Study of Macau Trust Law*, 0 Asia Pacific Law Review 1 (2025), https://doi.org/10.1080/10192557.2025.2581769.
13. Straton Papagianneas, *Towards Smarter and Fairer Justice? A Review of the Chinese Scholarship on Building Smart Courts and Automating Justice*, 51 Journal of Current Chinese Affairs 327 (2022), http://journals.sagepub.com/doi/10.1177/18681026211021412.
14. Ekaterina P. Rusakova, *Integration of "Smart" Technologies in the Civil Proceedings of the People's Republic of China*, 25 RUDN Journal of Law 622 (2021), https://journals.rudn.ru/law/article/view/27221.
15. Changqing Shi, Tania Sourdin & Bin Li, *The Smart Court-a New Pathway to Justice in China?*, 12 *in* IJCA 1 (2021), https://heinonline.org/hol-cgi-bin/get_pdf.cgi?handle=hein.journals/ijca12&section=6.
16. Changqing Shi, Tania Sourdin & Bin Li, The Smart Court - A New Pathway to Justice in China? (Feb. 2, 2021), https://papers.ssrn.com/abstract=3778345.
17. Changqing Shi, Tania Sourdin & Bin Li, *The Smart Court – A New Pathway to Justice in China?*, 12 International Journal for Court Administration (2021), https://iacajournal.org/articles/10.36745/ijca.367.
18. Huaxing Wang et al., *Does Digital Justice Contribute to Firm Innovation? Evidence from China's Internet Courts*, 15 Sage Open 21582440251340457 (2025), https://doi.org/10.1177/21582440251340457.

19. Nyu Wang & Michael Yuan Tian, *"Intelligent Justice": Human-Centered Considerations in China's Legal AI Transformation*, 3 AI ETHICS 349 (2023), https://pmc.ncbi.nlm.nih.gov/articles/PMC9396564/.

20. Li Xiaohui, *Research on the Building of China's Smart Court in the Internet Era*, 8 CHINA LEGAL SCI. 30 (2020), https://heinonline.org/hol-cgi-bin/get_pdf.cgi?handle=hein.journals/chlegscien8&section=25.

21. Jia Yu & Jun Xia, *E-Justice Evaluation Factors: The Case of Smart Court of China*, 37 INFORMATION DEVELOPMENT 658 (2021), https://journals.sagepub.com/doi/10.1177/0266666920967387.

22. Fu Yulin, *Research on Developments in Chinese Civil Procedure Law: Observations from the Perspective of the Mutual Shaping of Research Objects and Research Methods*, *in* HANDBOOK OF CONTEMPORARY CHINESE SOCIAL SCIENCES 595 (2025), https://link.springer.com/rwe/10.1007/978-981-97-4026-0_17.

23. George G. Zheng, *China's Grand Design of People's Smart Courts*, 7 ASIAN JOURNAL OF LAW AND SOCIETY 561 (2020), https://www.cambridge.org/core/journals/asian-journal-of-law-and-society/article/chinas-grand-design-of-peoples-smart-courts/476879522161B47A5BE10DBC4BDE8215.

24. George G. Zheng, *China's Grand Design of People's Smart Courts*, 7 ASIAN JOURNAL OF LAW AND SOCIETY 561 (2020), https://www.cambridge.org/core/journals/asian-journal-of-law-and-society/article/chinas-grand-design-of-peoples-smart-courts/476879522161B47A5BE10DBC4BDE8215.

25. Davide Giacomo Zoppolato & Paolo Davide Farah, *China's Path to Modernization and Legal Pluralism: Transplants and the Belt and Road Initiative*, 12 ASIAN JOURNAL OF LAW AND SOCIETY 109 (2025), https://www.cambridge.org/core/journals/asian-journal-of-law-and-society/article/chinas-path-to-modernization-and-legal-pluralism-transplants-and-the-belt-and-road-initiative/B73A534E77C208709348579C20A2789E.

26. Caixia Zou, *Achievements and Prospects of Artificial Intelligence Judicature in China*, 11 CHINESE STUDIES 197 (2022), https://www.scirp.org/journal/paperinformation?paperid=120103.

27. Mimi Zou, *'Smart Courts' in China and the Future of Personal Injury Litigation*, CHINA AND THE FUTURE OF PERSONAL INJURY LITIGATION (MARCH 11, 2020). JOURNAL OF PERSONAL INJURY LAW (FORTHCOMING (2020), https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3552895.

28. *China | AI Deeply Embedded in Criminal Justice System*, https://www.techandjustice.bsg.ox.ac.uk/research/china (last visited Jan. 11, 2026).

29. *China Launches Artificial Intelligence Platform to Boost Judicial Efficiency*, https://english.court.gov.cn/2024-12/05/c_1053706.htm (last visited Jan. 11, 2026).

30. *Digitization, Adversarial Legalism, and Access to Justice Reforms*, SOUTH CAROLINA LAW REVIEW, https://sclawreview.org/article/digitization-adversarial-legalism-and-access-to-justice-reforms/ (last visited Jan. 11, 2026).

31. *AI in Justice Administration and Access to Justice: Governing with Artificial Intelligence*, OECD (Sept. 18, 2025),

https://www.oecd.org/en/publications/governing-with-artificial-intelligence_795de142-en/full-report/ai-in-justice-administration-and-access-to-justice_f0cbe651.html.